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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIRECT MARKETING EDUCATIONAL
FOUNDATION,

Plaintiff,

Case No. 08 CV 1464 (LMM)

- against -

JOHN WILEY & SONS, INC.,

Defendant.

**DECLARATION OF JOHN DEIGHTON
IN SUPPORT OF PLAINTIFF DIRECT MARKETING
EDUCATIONAL FOUNDATION'S MOTION
FOR A PRELIMINARY INJUNCTION**

JOHN DEIGHTON declares as follows:

1. I am the Harold M. Brierley Professor of Business Administration at Harvard University's Graduate School of Business Administration and a member of the DMEF Board of Trustees. I was the founding Editor (with a colleague) and am an Editor Emeritus of the *Journal of Interactive Marketing*, where I served as an editor from 1998 to 2002. I have extensive experience as an editor of academic journals and currently edit the *Journal of Consumer Research*, and I submit this declaration in support of DMEF's motion for a preliminary injunction.

2. I hold an MBA from the University of Cape Town, South Africa and a Ph.D. from the University of Pennsylvania's Wharton School. I am widely published in the direct marketing field and in the social sciences in general.

3. In academia, the quality and reputation of social science journals are judged in pertinent part by the Social Science Citation Index (the "SSCI"), as measured and reported annually by ThomsonScientific Journal Citation Reports. The SSCI measures a journal's "impact factor" in a particular year, which is calculated by dividing the number of citations made to articles in the journal in that year, by the number of articles published in the journal in the prior two years.

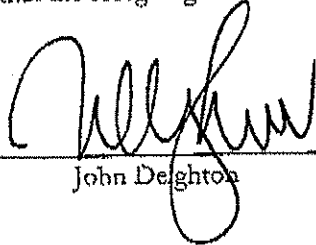
4. A journal's impact factor plays a significant role in how the journal is viewed in the academic world. It measures the importance and prestige of a journal, and journal prestige is a central consideration in many aspects of academic life. Scholars prefer to publish in journals with high impact scores. They are promoted based on the frequency with which they publish in journals with high impact scores. Their eligibility for grants is based in part on their having published articles in high impact journals. Therefore, changes in the impact factors of journals are monitored closely by professors and deans.

5. Impact factors also have a significant effect on the economic viability of academic journals. Circulations and subscription rates vary with impact. Libraries choose which journals to subscribe to based on their impact scores. A decline in a journal's impact factor damages its economic value.

6. In 2006, JIM's impact factor rating was 1.457, which is considered in the industry to be a high rating and places it among the top journals in the field of marketing. The trend in the JIM's impact factor has been very positive. To maintain this high impact factor and its improving trend, the JIM must continue to publish new, relevant, and timely material.

7. If Wilcy goes ahead with its plan to publish old articles in two of the four issues of the *Journal of Interactive Marketing* in 2008, the journal's impact factor will be damaged. The old articles that it publishes will not attract citations, so the numerator in the impact factor will be low for 2009 and 2010. If this loss in prestige leads the journal to attract fewer good articles in the future, the damage to the JIM may continue to be felt..

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 12, 2008.



John Deighton